



HOUSE BILL 1481: Energy to Commerce; OEO to Energy

2009-2010 General Assembly

Committee:	Senate Select Committee on Economic Recovery	Date:	June 30, 2009
Introduced by:	Representatives Bryant, Harrison	Prepared by:	Jennifer Mundt
Analysis of:	PCS to Second Edition H1481-PCS50751-LB-63		Legislative Analyst

SUMMARY: *The Proposed Committee Substitute (PCS) for House Bill 1481 transfers the State Energy Office from the Department of Administration to the Department of Commerce and transfers the Residential Energy Conservation Assistance Program from the Department of Health and Human Services to the Energy Office of the Department of Commerce. The PCS also makes a number of changes to the Energy Policy Act of 1975.*

BILL ANALYSIS:

Section 1: transfers the State Energy Office from the Department of Administration to the Department of Commerce as a Type I transfer. Under G.S. 143A-6, a Type I transfer means that all or part of an existing agency is transferred to a principal department, including its statutory authority, powers, duties, and functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, as well as the functions of budgeting and purchasing.

This section also makes conforming changes to:

- The Energy Improvement Loan Program.
- The Conservation of Energy, Water and Other Utilities in Government Facilities Act.
- The Energy Credit Banking and Selling Program.

This section also transfers the Residential Energy Conservation Assistance Program from the Department of Health and Human Services to the Energy Office of the Department of Commerce as a Type I transfer.

Section 2: Recodifies the law governing the Energy Assistance Act for Low-Income Persons, which is currently located in the statutes governing the Department of Health and Human Services, to the statutes governing the Department of Commerce.

Sections 3 through 10: Amend various provisions of the Energy Policy Act of 1975 to make conforming changes as well as the following:

1. Changes the composition of the Energy Policy Council by reducing its membership from 18 to 15 members, and changes some of the required qualifications for certain members.
2. Amends the duties and responsibilities of the Energy Policy Council to include developing and recommending policies related to energy efficiency, renewable and alternative sources of energy, research and development into alternative energy technologies, and improvements in the State's infrastructure and energy economy.
3. Repeals the Energy Efficiency Program and requirements for an Energy Research and Development Program.

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4. Amends the required contents of the annual report prepared by the Council to include an analysis of the role of energy efficiency, renewable energy, improvements to the State's energy infrastructure, and other means of meeting the State's current and projected energy demand, and to delete reports on the Council's ongoing research and development program.

Section 11: Requires the Secretary of Commerce and the Chair of the Utilities Commission to jointly prepare a report to the Governor examining the respective duties and functions of the Utilities Commission and the Energy Policy Council and recommend changes to address any duplicative duties and responsibilities on or before January 31, 2010.

EFFECTIVE DATE: This act becomes effective when it becomes law.

Karen Cochrane-Brown, counsel to the House Committee on State Government/State Personnel, substantially contributed to this summary.

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